Preserve

App. F. IX-4

1933.
(Mysore)

File No. 313 3
Serial Nos. 1 - 4

Previous References
Misc 214 33 1 2
30 3 5

Later References.
Misc 129-50-1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for January 1933

SUBJECT.

Appeal re the inam village of Melavagilu endowed to the Hutchuraya Swami temple Shikarpur Taluk.

Mr K.V. Subba Rao Advocate Bangalore
191 4 1 7-35

WD 01965—GPB—15,000—7-7-34

Forwards copy of decision ~~directing~~ stating that the Mysore Court is order in the above so far its relates to the eviction of the tenants of the ~~temple~~ from the holdings

Mug Appl 8 of 33-34 re: Inam village of Nelavagilu village endowed to Sri Hutcharayaswami temple - Shikarpur

General and Revenue Secretariat

Mug File No. of 193 3.—

[App. F. III—2

Serial No.

1

Petition of 25/9/33 filed by Rama Dikshit Somayaji Dhamadarshi of Sri Hutcharayaswami temple Shikarpur Taluk appealing against the decision of the Mug, in Continuing in Mug Appl 24 of 30-31 on the file of his Court regarding the Hereditary tenancy rights enjoyed by the Village of Nelavagilu village in the lands reserved to inam.

The appeal is preferred in time & is also subscribed stamped & appd, the appeal will be admitted and records called for from the M.C.

Also the Survey Supt. will be asked to furnish a trace of Inam Register clearing showing the Object of the grant of lands in Nelavagilu village in favour of the temple.

Not Necessary at this Stage 8 15/10

Sd for orders —

G.S. 6/10 9

Records may be called for from the M.C.

15/10/33

(Illegible)

NOTE—Comm. Sheet.

19/10

Mu 3 File No. 313 of 1933

General an Secretariat

Memo of forwarding back up entries [illegible] Cutting for records to be kept [illegible] signature

[illegible]

[illegible] 21/10

Petition sent to M.C for Submission of entire records no. 488 of 21-10-33

21/10

From

Rama Dixit Somayaji
Dharma Darsi. Sri Hutcha Raya Swamy Temple
Shikarpur. (Dist) Shimoga

GENL. & REV. SE
386
9 - OCT. 1933
MUZRAI

Muz. Dept
7/11/33

To.

The Government of His Highness
The Maha Raja of Mysore.

Date 4.10.33

(1) The petitioner above named. begs to state That he is the appellant in the appeal filed against the order of the Muzrai Commissioner's no 24/30-31 And he had attended the above case in the Muzrai Commissioner's Court being appointed both by the sanction of the Muzrai Commissioner as well as the Committee of Dharma Darsis of the above said temple. During the Conduct of the above case the poor petitioner was sanction his to and fro Expenses and also a fee of Rs 75/- to a Counsel to help him on that behalf -

(2) Now the case having been unfavourable, disposed off in the Muzrai Commissioner's court the Dharma Darsi, have once again empowered me to the Conduct of the case and also have sanctioned the Expenses to and fro and also other Expenses of employing a Counsel etc. and the same has been recommended by the Amildar for the approval of the Muzrai Commissioner. Since his orders have not hitherto been received, the petitioner begs the Government for immediate sanction of the same, and request the choice of selecting the Counsel may kindly be left to him.

3.) In connection with this case, The petitioner begs to submit apart from the reference appended in the record; there are other important references, which are very essential for the disposal of the case. They being :--

(1). The Inam title deed. Granted in the name of the Deity in the year 1913.

2. Jamabandi chittis. (3) The old proceedings book of the meeting of Dharma Dharsan Committee (Before 1917). (4) The takarar statement submitted by the Nattavagilu Ryots in the Munzrai Commrs. Court.

(5) ~~References~~ Evidences supplied by the Ryots of Nelvaty in to prove their Khadim Right. The petitioner having applied to the Tahsildar for the above reference, which have not been granted begs the benign Government for order for the supply of the above references.

4) The petitioner is of opinion that the case very nessessarily requires an hearing and arguing by a learned advocate and hence prays that on account of his present illness, a hearing to be fixed by giving sufficient time, before he could be ready with all nessessary references. and the Date of hearing may kindly be intimated before hand.

begs to remain

Sir

Your most obedient Servant.

రామచంద్రరావు తండ్రి [illegible]

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

4)
A.)

Paras, extract of paras 1 to 2 of the P.W.D. note be sent to M.C. for disposal —

(4) The addl. pet.n refd. in para 3 to is separately filed & this may be placed therein on return of the file —

Sd/ [illegible]
G.V.
9.10

D. No. 358 submitted to Assistant Engr. on 9.10.33

A — may be approved
10/10

11/10

10/10

Forwarding with compliments & kindly furnish a typed copy of paras 1 to 2 of the pet.n for being sent to M.C. —

G.V.
11/10

No. 457 of 17-10-33 to the Inspector Commissioner forwarding for disposal an extract of the first two paras of the petition —

MINE ... GENL & REV. SECT

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Petition dt 28 10.33 from
Rama Dikshit Samaraji
Dharmadarsi of Sri Hatcharaya.
Swami Temple. Shikarpur
praying among others
that his request for the grant
of required funds from the
Temple property was
not yet sanctioned in
connection with the appeal
preferred in temple lands

Prima facie P.W.D
is about engaging an advocate
for the conduct of the Appeal
& for meeting other
recurring items of expenditure
Expd, extract
of fortnightly Provisional bill
be sent to P.W.D. in continuation A
of their report issued no
4 S.Y. dt 17-10-33
with 7-day cond —

A - may be done
21/4/33

21.11

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

21/11

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, &c., not intended for permanent record.]

(19) Memo forwarding the extract. Put up for kind signature

G.S. 22/11

22/11

Extract sent to M-c

Lr No 726 & 24-11-33

N.B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

G.R.S. 1

Routine Note

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Muz Appl 8 of 33-34 re: Inam village of Velavagilla village endowed to Sri Hutchanagaswami temple - Chikanpur

General and Revenue Secretariat — Muz File No. 313 of 193 3

Serial No.	
3	Letter No 495/33-34 dt 6. 11. 33 from the Muzrai Commissioner forwarding records connected with the appeal preferred by Rama Dikshit Sowayaje Dharmadarshi of Sri Hutchanagaswami Temple against the Muzrai Commissioner's order recognising the Kadim tenancy rights of certain ryots in the Inam lands endowed to the temple.
	As to the true facts of the case, kind reference is invited to Sugar S-W-O's letter No 518/129/28-29 dt 7. 3. 30 implemented by his further note dt 21-3-31 from which it will be seen that the Inam lands are the property of the temple & the ryots have no possessory rights, acting in the nature of tenants paying kandayam to the Institution. It is also seen that the tenants have from the beginning rendering certain services to the Insti^n. Inspector in his reports
XV	dt 7-3-30, the S-W-O. proposed that the Temple Inams may be resumed from the tenants if they fail to agree render services (a proposal of Inam form Insti^n. This was opposed by the ryots on 2-8-30 - It is against this order the
XA	

WD 70—GBPM—60,000—13-8-3.

ryots of agraharam appealed to the C.
& his decision is as in my Appl 24 of 3 31. X R
in which he has allowed Kadim tenancy
rights in respect certain ryots —

The Karnam - ~~[illegible]~~
~~Cases [illegible]~~
~~[illegible]~~ generally Kadim
is recognised in respect of devadaya
Inam lands -

Orders if the case may be
posted for a hearing —

GS
23/1
18/1/34

The case is one in which the important question of whether Kadim tenancy can be recognised in the case of Devadaya Inams will come up for consideration. Orders are solicited ~~[illegible]~~ if the case may be posted for hearing on the 19th Feby 34 for which daily three Inams cases have been posted.

27/1/34

Fill Summ)
[illegible])

M 3071.
30/1

May be posted to another day — 26th or the succeeding Saturday

1/2
10/2

2
12/2

SECOND M
31 JAN. 1934
NO. 4792

Posted to 9th April 1934
Court since adjourned

Muz Appl no 80 of 33-34 re:
Inam lands endowed to Sri Hubba re.
[Appellant

General and Revenue Secretariat — Muz File No. — of 193

Serial No.

27) As per personal instructions Muz 80-32-2 containing minutes of the Field Member can be no permanent tenancy in Devadanga Inam lands is binding for repeal
8/5

28) Please let me have the issue with ens. 10/5

29) Note submit separately
29/5/34

30) The case was called on Saturday the 24th Nov 1934

Advocate for repts heard — Order reserved

S/02
24/11/34

4557
24/11/34.

ORDER.

I agree with the Muzrai Commissioner in his view that it will not be right to evict the ryots from their holdings solely on the ground that they did not perform certain acts during the Rathotsava of the deity. This conclusion is based on the want of satisfactory documentary

NOTE—Contn. Sheet.

313

documentary proof that the lands were held subject to such service. This is enough for the disposal of the particular issue raised in the appeal. But the Muzrai Commissioner has gone a little further and stated that some of the ryots at least whose names are entered in the Survey Records as holding lands are kadim tenants. I do not think that it is necessary to decide this question in this appeal as it raises large issues which have to be fully and separately considered. I, therefore, confirm the Muzrai Commissioner's order on the ground stated above but I do not wish to be understood to adopt the Muzrai Commissioner's findings regarding the nature of the tenancy held by the ryots.

JPM 29/12

G.S. 2/1/35

Put up typed draft as revised please 3/1/35

Typed draft submitted 3/1/35

For approval 3/1/35

Ch: Secy

RR 6(1)(3) 7/1/35

991 Dt 10-1-35 to the Advocate for the ryots of Velavagaiu Inam Village Shiyali Taluk forwarding copy of the

CHIEF SECRETARY JAN.

Mrg Appl 8 of 33-34

12

General and Revenue Secretariat

Mrg File No. 313 of 1933.

App. F. III.—2]

Serial No.	
	orders passed in the appeal case 992 of 10.1.35 to the Convenor of the Committee of Dharmadarsis of Sri Kutchrayaswamin temple forwarding copy of the above for information. 993 of 10.1.35 to the Mrg Commissioner forwarding for information and necessary action copy of the orders passed on the appeal case.

CB
25/1/88

NOTE—Contn Sheet

W D 02563—G P L—50 000—8 7 30

ONE RUPEE ONE RUPEE

P. No. 189.

Received by Registered Post. on 27.9.33

Mu 313-33-1.

Before the Government of His Highness the Maha Raja of Mysore.

GENL. & REV. SECRETARIA 358 30. SEP. 1933 MYSORE.

Mu 8 of 33-34

Received on 6/10/33

Mazrai Br

1/19

Appellant. vs. Respondents

Raina Dikshit Somayaji. Dharma Darsi of Sri Hutchaiya Raya Swami Temple. } Ryots of the Nellajilu Village Hosur Hobli Sri Kasturi Taluk.

Dated 25th September 1933

The humble appellant begs to prefer this appeal against the order of the Mazrai Commissioner in the following matter.

The respondents are cultivators of Sri Hutchaiya Swami devalaya Inam land in the Nelavalgn Inam Village, who hold lands subject to the condition of rendering free service to the institution apart from paying their usual rates of Kandayam to the institution. Having refused to participate in offering services, which they did from time immemorial in the year 1920 the Deputy Commissioner order the auction of the lease for periods of 5 years. The Respondents hence brought an appeal in the Court of the Mazrai Commissioner, stating that they enjoy Hadim tenancy rights in the Village, and their services to the temple is not in them. The Mazrai commissioner in his order confirmed the Hadim Rights of the Respondents

9 That the entry of the Ryots name in the Village accounts "as" ಇದೆ ಇದ್ದಂತೆ ಇರಲಿ ಇದ್ದಂತೆ" is only to facilitate any easy knowledge as to who cultivated each number and how much should be owe to the Inam-dar, and not to ~~[illegible]~~ be misunderstood that it show the hakdar of the cultivator

10 That in this aspect of question, the Muzrai Commissioner has failed to note that the Expenses of survey and settlement (Conducted as per G.O 669-71/20-6-92) were meeted out of the Muzrai funds of Sri Sri Ramaraya Swami

11 That the question of anchoring the lease has once disputed in the year 1918 and the Deputy Commissioner then has order the - chan of leases, so far back as 1918. Hence it is to be observed the period between 1892 1918 is too short to create a Kadim right.

12 That the Muzr Commissioner has completely ignored the remark the Sub Division officer Gajar, where in he clearly states that survey and settlement was conducted on behalf of the Deity ~~[illegible]~~ not to establish the right of the Saguvahdars.

13 Government Proceedings Muzr No 517-25 / 115-16-8 dated 29-4-17 clearly states that Devadaya Inam lands should in no case be given for permanent leases and Muzrai Commissioner should have taken note of the rule in guarding the rights of the Deity as per legal grounds

14 That in answering a government order no R 2110 / 28-18-7 the amildar Shikarpur has report to the Deputy Commissioner in his number 456 / 14-12-19. That on enquiry he found that the Ryots could not produce any evidence to prove their Kadim Rights on the inam lands and there is no room for objection of lease sale. This is a point worth notice, and it has not been taken notice of by the Mouz Commissioner (This is appended in the records)

15 That The Mouz Commissioner has contended that the entry of the Names in the phisal patrika as the strongest grounds to support the Kadim rights of the Sagunvahdars, but he has miserable failed in not Examining what did really contributed their entry in the phisal patrika of 1892, which did not find any place in any records before 18xx,

16. That it is a pity that he should have created false argument in support of the above that a survey took place 50 yrs prior to 1893, and since then their names are entered in the accounts. and this a surprise to see that a survey did never happen but for the sake of argument.

17 That it does good to notice how the advocate of the respondents has been inspite of himself led to state that it has been customary on the part of the Sagunvahdars to render services to the deity, who as an Inamdar has been in right to demand their services, long [illegible] in lieu of concessions showed to Sagunvahdars.

18. That the ryots of the village [illegible] point up no recorded evidence, as to how they acquire the rights of ownership and no reference could be traced in taluk office, revenue survey office or the Inam office the support the

COURT OF THE MUZRAI COMMISSIONER
N MYSORE, BANGALORE.

Appeal No.24/30-31.

Respondent:-

Ryots of Nelavagilu village, Hosur Hobli, Shikarpur Taluk. Vs. Rama Dikshit, Dharmadarsi of Sri Hutcharayaswami temple at Shikarpur.

Subject:

Appeal against the order of the Deputy Commissioner, Shimoga District, proving of Sub Division Officer's suggestion to lease out the inam lands of Sri Hutcharayaswami temple at Shikarpur, in case the appellants fail to do services on Gokalastami and other days in the temple.

Facts of the Case.

The temple in question is a major institution and the whole of Nelavagilu village is granted as inam to it for puja and maintenance. The major portion of the lands in the village are in the occupation of tenants who pay only kandayam to the institution. As the income of the temple fell short of the expenditure Ved.Rama Dikshit and others who were interested in the institution applied to the Deputy Commissioner so far back as 1918 to sell the lease right of the inam lands for a period of five years. Pursuant to this suggestion one of the S.Nos. (S.No.78) was granted for temporary cultivation and some other waste lands were ordered by the Deputy Commissioner to be sold to the best advantage of the institution. Thereupon the villagers petitioned the Deputy Commissioner, stating that they had been enjoying Kadim tenancy rights in the village from time immemorial, that khates and pattas had been severally entered against their names in the Taluk accounts and Survey records that they had exercised complete possessory rights in respect of the lands viz., conveyance by sale mortgage, gift, &c., and that as such Government were not entitled to auction the lease right of the lands in their possession which they were entitled to hold on payment of bare kandayam. Enquiries were made by successive Amildars on this question and it is seen from the Amildar's report dated 26-6-18 and 4-9-18 that all the S.Nos. in the village had been shown against the respective saguvaldar's name in the Taluk accounts and not against the deity's name and that the ryots had been enjoying all the rights as in Government lands. Survey and Settlement were introduced in the villages in 1893-94 and the Survey records also bear the saguvaldars' names instead of the deity

Meanwhile the ryots who had been till 1927 rendering free service in the temple during the Rathotsava of the deity on Gokalastami, Dasara and other festivals refused to participate in the car festival of 1928 and petitioned the

the Deputy Commissioner on 1-9-28 stating that should not to do voluntary work. They also filed a statement before the Amildar effect that hitherto they did the work on compulsion by Revenue and authorities, that the Dharmadarsis treated them with contempt and that would not do any service in the temple in future. After some correspondence it was ordered that if they fail to do the customary service, the lands the inam village may be leased out for five years. Hence the present appeal The appellants urge that they are enjoying Kadim tenancy rights in the village that free labour cannot be extracted from them by compulsion and that they would be put to great inconvenience during the car festival as they had to stay for 10 or 12 days away from their village during a very busy season.

The case came up for hearing on 22-3-33 when both sides were represented by Counsel.

ORDER. Dated 22nd June 1933

I do not think that the order of the Deputy Commissioner in this case can be supported. The appellants hold lands in the village of Nilavagilu which is a Devadaya inam endowed to the Sri Hutcharayaswami temple at Shikarpur. The contention on behalf of the respondents viz., the Dharmadarsis of the said temple is that the appellants hold lands in the village subject to the condition of rendering certain services viz., drawing the car &c., during Gokalastami, Dasara and other festival occasions of the God Hutcharayaswami. But no documentary evidence of any kind is forthcoming to establish this contention. On the other hand the Re-survey Phaisal Patrike prepared about the year 1893 distinctly records the names of the ryots as holding certain lands and as having agreed to pay the resurvey rates of kandayam. This is very strong proof that such ryots are Kadim tenants who are entitled to hold the lands so long as they conform to the condition of the regular payment of kandayam fixed at the Re-survey. Even in the original Survey the names of the ryots holding lands are mentioned though with the qualification "ಸಾಗುವಳಿ ಮಾಡುವ ಹಕ್ಕು". Evidently, the possession of the lands by the ryots was anterior even to the first Survey which took place more than fifty years ago. The ryots seem to have treated the lands as their own and exercised rights of ownership by transfers by sale, mortgage etc. In these circumstances I do not think it will be right to evict the ryots from their holdings solely on the ground that they did not perform certain acts during the Rathotsava of the deity. In these circumstances the of the Deputy Commissioner must be and is hereby reversed.

22

2. One or two additional remarks are necessary before dismissing this matter When I speak of the Kadim tenants in this case, reference is, of course only to those individuals whose names have found a place successively in the Survey records as holding lands paying the Survey Kandayam and does not apply to those ryots who may have obtained leases of lands on special leases from the Government Officers acting on behalf of the temple. Secondly, the learned Advocate for the appellants stated that his clients would ever be ready to perf rm those services of love and devotion to the deity which it has been customary for them to do in the past and that their only contention is that those services should not be exacted on pair of losing their hereditary right in the lands which they have been enjoying on payment of Survey Kandayam. I think this is a very proper position to take and I hope that the Deputy Commissioner will be able to bring about a satisfactory understanding between the Dharmadarsis and the ryots. When the ryots' interests in the lands such a as they are, are properly protected, the customary services by the ryots to the temple will also be continued to be performed voluntarily as was the case till recently.

Sd/- S. HIRIANNAIYA,
Muzrai Commissioner.

Copy

Apl 24/30-31.
11/8/33.

Forwarded to Ved Rama Dikshit, Dharmadarsi of Sri Hutcharayaswami temple, Shikarpur for information, with reference to his application D. 9 7 33

Ramaiah
For Muzrai Commissioner

D. 9.7.33

Office of the Muzrai Commissioner in Mysore.

No. App 24/30-3

Dated, Bangalore, 28th June 1930 193 3

Endorsement *granted to* Nagavi Bugappa and other villagers of Nelavagilu Shikarpur Taluk, C/o A. V. Subba Rau, Esq M.A., LL. Advocate, Chickpet, Bangalore City

Petition Register No. App.24/30-31

Dated 6-2-1931

Subject :—

Appeal against the order of the Deputy Commissioner, Shimoga District, directing the leasing out of the inam lands in the Nelavagilu village for 5 years in default of the villagers rendering free service on Gokalastami and other days in the temple of Sri Hutcharayaswami at Shikarpur.

in reply to his Petition Register No. as per margin.

The Petitioner ~~is~~ are *informed that* for reasons stated in this office order their appeal is allowed subject to the reservations made in the second para of the order.

Sd/- T. RAMIAH,
For *Muzrai Commissioner.*

Memo.

Copy of the above is forwarded to Ramadikshit, Dharmadarsi of Sri Hutcharavaswami temple. for information.

WD 0425—GPB—100—25-11-31

For Muzrai Commissioner.

Petition dated 4th October 1933 from Rama Dixit Somayaji, Dharma Darsi, Sri Hutcharayaswami Temple, Shikarpur, Shimoga District, to the Government of His Highness the Maharaja of Mysore. 24

- - - - - -

1. The petitioner above named begs to state that he is the appellant in the appeal filed against the order of the Muzrai Commissioner's No.24/30-31 and he had attended the above case in the Muzrai Commissioner's court being appointed both by the sanction of the Muzrai Commissioner as well as the Committee of Dharma Darsis of the above said temple. Throughout the conduct of the above case the poor petitioner was sanctioned his to and fro expenses and also a fee of Rs 75/- to a counsel to help him on that behalf.

2. Now the case having been unfavourably disposed of in the Muzrai Commissioner's Court the Dharma Darsis have once again empowered me to the conduct of the case and also have sanctioned the expenses to and fro and also the other expenses of employing a counsel etc., and the same has been recommended by the Amildar, for the approval of the Muzrai Commissioner. Since his orders have not hitherto been received, the petitioner begs the order of the Government for immediate sanction of same and requests the choice of selecting the counsel may kindly be left to him.

x x x

x x

"Extract"

Memo No. 457/M43

Dated, Bangalore, the 16th October 1933.

17th

Copy of the extract is forwarded, with compliments, to the Muzrai Commissioner in Mysore, Bangalore for fact and disposal.

By Order,

For Financial Secretary to Government.

G.S.

35x/16/10/33

REV. REC.
492
2 NOV. 1933
MUZRAI.

1368

31/10/33

MWS
31/10

40
28.10.33

28.10.33

(1)

(2)

ಸಾ. ಶ್ರೀಕರ ಶ್ರೀಪಾದಯ್ಯ. ಎಂಬಾತ ಲಿಖಿತ ಶ್ರೀಕರ
ದಿನಂ. ಲೆಖಪತ್ರ. ತಂದೆ. ಅಣ್ಣಾಜಿರಾವ್ ತಂದೆ ಶ್ರೀಕೃಷ್ಣ. ಲೆಖಪತ್ರ
ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ. ಗಣಪತಿರಾಯ ಶ್ರೀಕರ. ಸಾ. ಸಿ. ನಂ. 1893-94
ತಂದೆಯವರು ಸಾಕ್ಷಿದಾರರು. ಸಾಕ್ಷಿ. ಲೆಖಪತ್ರ. ಶ್ರೀಕೃಷ್ಣಯ್ಯ ಶ್ರೀಕರ. ಗ್ರಾಮಲೆಖಪತ್ರ
ಗ್ರಾಮಾಧಿಕಾರಿ. ತಂದೆಗಳಾದಿಗಳು. ಲಿಖಿತ ಲೆಖಪತ್ರ ಎಂಬಾತ ಆಂಗ್ಲ ಭಾಷೆಯಲ್ಲಿ
ಕೆಳಕಂಡ ಶ್ರೀಕರ ಲೆಖಪತ್ರ. ಲೆಖಪತ್ರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ ತಂದೆಗಳಾದ ಶ್ರೀ —
ಲೆಖಪತ್ರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ — ಲೆಖಪತ್ರ ಶ್ರೀಕೃಷ್ಣ. ನಿಮ್ಮ ಲಿಖಿತ ಸಾಕ್ಷಿ
ಲಿಖಿತ ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ ಎಂಬಾತ ಶ್ರೀಕರ ಶ್ರೀಕೃಷ್ಣ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ.

(3) ಶ್ರೀಕರ ಸಿ.ನಂ. 1918 ಲೆಖಪತ್ರ. ಲೆಖಪತ್ರ ಲಿಖಿತ ಸಾಕ್ಷಿ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ
ಲಿಖಿತ ಲೆಖಪತ್ರ. ಸಾಕ್ಷಿದಾರರು ಸಾಕ್ಷಿ ಲಿಖಿತ ಶ್ರೀಕರ. ಶ್ರೀ
ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ. ಎಂಬಾತ. ಸಾಕ್ಷಿ. ಲಿಖಿತ ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ
ಲೆಖಪತ್ರ. ಎಂಬಾತ ಸಂಪಾದಿಸಿದ. ಸಾಕ್ಷಿ. ಲಿಖಿತ ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ
ಸಾಕ್ಷಿದಾರರು. ಲಿಖಿತ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ ಲೆಖಪತ್ರ ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ.
ಗ್ರಾಮ. ಲೆಖಪತ್ರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ.
ಲಿಖಿತ. ಲಿಖಿತ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ. ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ
ಸಾಕ್ಷಿದಾರರು ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ. ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ
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ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ. ಸಾ.ಶಿ.ನಂ. ಶ್ರೀಕರ ಸಂಪಾದಿಸಿದ ಸಾಕ್ಷಿ

(4) [illegible]

(5) [illegible]

Commissi

OFFICE OF THE MUZRAI COMMI

Bangalore, 3rd November 1933.

Records

3rd appl pts.

6.

Mog 313-33-3

FROM Madhava Rao, Esq., B.A., B.L.,
~~SHIMANNAYAX ESQ.,~~
Muzrai Commissioner in Mysore,
Bangalore.

FINANCIAL SECRETARY'S OFFICE
7/11/33

GENL. & REV. DEPT.
7 525
NOV. 1933
MUZRAI.

To A. N. Rangachar, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
F.I.L.R. D.G.L. & L. Department.

SIR,

With reference to your [illegible] 21-10-[illegible]
[illegible] for the records relating [illegible]
Somayaji, [illegible]
office order [illegible]
[illegible] in the [illegible]
to forward herewith [illegible]
Commissioner's letter [illegible]
[illegible] (copy enclosed) [illegible]
[illegible] 6-31 [illegible] 6-0-00 [illegible]
case [illegible] been clearly [illegible]

referred to above.

I have the honor to
Sir,
Your most obedient serva

Muzrai Commissioner.

No.Muz.1.C.645/33-34 dated 17-10-33 from the Deputy Commissioner, District, to the Muzrai Commissioner in Mysore.

In continuation of this office letter No.Muz.C.645/33-34 dated 5-10-33 re: kadim tenancy rights in Belvagalu village belonging to the Sri Muthutcharyaswami temple at Salkanpur, I have the honor to forward herewith the files of records connected with the subject which were received from the Amildar in his report No. Ur.C.86/28-29 dated 11-10-33.

"C O P Y"

Ramachandra

For Muzrai Commissioner.

H. S. L.

ವಕಾಲತ್ ನಾಮೆ

Before the Govt. of H. H. the Maharaja of Mysore in Council Menzrai appeal No. 8 of 1933-34

19— 19

ಕೋರ್ಟಿನಲ್ಲಿ

ವಾದಿ, ~~ಫಿರ್ಯಾದಿಯಾ ಅರ್ಜಿದಾರ್~~. Appellant.

ಪ್ರತಿವಾದಿ, ಅಪರಾಧಿ ಯಾ ಎದುರರ್ಜಿದಾರ್ Singappa and others.

VS/ಅ

ಸಾಗರದಲ್ಲಿರುವ ವಕೀಲ್

~~ಮಾನ್ಯ ರಾಯ ಹೆಚ್. ಶಿವಲಿಂಗಪ್ಪ, ಬಿ. ಎ., ಎಲ್ ಎಲ್. ಬಿ. ಅವರಿಗೆ.~~

KV Subbarao MA LLB Advocate ಬರೆಯಿಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಮೊಕದ್ದಮೆ ನಡೆಸುವುದಕ್ಕೂ, ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ವಾದಿಸಿ ಫೈಸಲ್ ಮೊಂದತಕ್ಕ ಬಗ್ಯೂ ಈ ಮೊಕದ್ದಮೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಡಿಕ್ರಿ, ಜಾರಿಕ್ರಮ ಮುಂತಾದ ವಿಶಿಷ್ಟ ನಡೆವಳಿಕೆಗನ್ನು ನಡಿಸತಕ್ಕ ಬಗ್ಯೂ, ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗೆದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವುದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ವಾಪಸ್ ಆಗತಕ್ಕ ದಾವಾಸ್ಟಾಂಪು, ಪ್ರೋಸೆಸ್‌ಸ್ಟಾಂಪು, ಡಿಕ್ರಿಹಣ, ಮತ್ತು ಶಿಲ್ಕು ಮೊಬಲಗು ಇತ್ಯಾದಿ ಇತರ ವಿಧವಾದ ಎಲ್ಲಾ ಮೊಬಲಗು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೂ ಸಹ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆದರಿಂದ ಈ ಭಾಗದಲ್ಲಿ ತಾವೇ ಆಗಲಿ ತಮಗೋಸ್ಕರ ಇನ್ನಾವ ಲಾಯರೇ ಆಗಲಿ ನನಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ಧನಾಗಿರುತ್ತೇನೆ.

ತಾರೀಖು 4·8·1934.

ರುಜು

Accepted

KV Subbarao

~~Vakil~~ Advocate

ಸಾಗರ ಶಿವಲಿಂಗಪ್ಪನವರು

ಈ ಮೊಕದ್ದಮೆಯ ಪ್ರತಿವಾದಿಗಳು

ಪಟೇಲ ಬಸಪ್ಪನವರು ಪಟೇಲ

ನಿಂಗಪ್ಪ ಸೋಂದಿ ಪೈಥರ್‌ಪ್ಪನವರು

ಈ ಮೊಖ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ

ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನುಭೋಗರ ರುಜು

ಪಟೇಲ ಬಸಪ್ಪ

ಶಂಕರಾನಂದ ಪ್ರೆಸ್, ಶಿವಮೊಗ್ಗ.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

AUG 1934
ZRAI BRANCH

ಶ್ರೀಮತಿ ಸ್ಟ್ರಾಥಿಯಾಂಡ್ ಸಿ.

ಶ್ರೀನ. ಸರಕಾರಕ್ಕೆ

ಸಾಮಾನ್ಯಕ್ಕೆ ಸಲ್ಲಿಸಿದ ಸಾಮಾನ್ಯಲು. ಶಿಕಾರಿಯ ಕ್ರೀಡೆಯ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ನಿಷ್ಠಾದ. ಹೆಸರಾದವರು. ಪರಿಶ್ರಮ ಬರೆದಿದ್ದಾರೆ. ಅದನ್ನು ಕೆಳಗೆ ಸೇರಿಸಲಾಗಿದೆ

ತಾ 4.8.34

ಸರ್ಕಾರ. ಸನ್ನಿ ಕಾದಲ್ಲಿ. ಗಾಲಿ. ಸಂ. ಸಂ. ಶಾ. ಸಾಹೆಬರು ಸಾ. ಆಂಬರ ಸಿಟ್ಟಿಗೆ ಅಕ್ಷಿಯಲ್ಲಿ ಶಕ್ತಿದ ಪ್ರೇಕ್ಷಕರ 8/33.34 ಎಂದರೆ. ಸಾಂದ್ರ ಎಂಗಿ ಗ್ರೇಸ್. ಸಾಹೆಬ್ ಸಿ. ಶಕ್ತಿ ಪ್ರಾಂತ್ಯ ಸಂಪ್ರದಾಯ ಸ್ಥಿತಿ - ನನ್ನ ಅಭಿಪ್ರಾಯಕ್ಕೆ ಶಕ್ತಿಗಳಿಗೆ ಶಕ್ತಿಯಾಗಿ. ಸ್ವಲ್ಪ. ಸ. ಶ. ಶ. ಅಂದರೆ. ಸಂಗ್ರಹಿಸಿದ್ದ ಸಂದರ್ಭದಲ್ಲಿ ದಿವ್ಯ. ಪ್ರಾಣಿಯಲ್ಲಿ ಸಂದಾ ಸಂಗ್ರಹಿಸಿದ ಸಂಗತಿಗಳನ್ನು ಸಂಗ್ರಹಿಸಿ ಸಂದ ಸ್ಥಾನ —

(1) ಶಕ್ತಿಯ ಸಂಬಂಧಿಸಿದಂತೆ ಆಂಧ್ರಗಳು. ಆಂಧ್ರದ ಪ್ರಾಂತ್ಯದ ಸರ್ಕಾರದ ಶಕ್ತಿಯ ಅಕ್ಷಿಯಲ್ಲಿ - ಸ್ಟ್ರೈಕ್ಸ್ ಸಂಗ್ರಹ. ಇದೇ ಸ್ಥಳ ಹಾಂಜ್. ಸಂಸ್ಥೆ ಶಕ್ತಿ ಸ್ಟ್ರೈಕ್ಸ್ ಸಂಬಂಧ ಶಕ್ತಿಯ ಸರ್ಕಾರ. ನಾಡಿ ಗ್ರಾಮಗಳಿಗೆ ಸಂಗ್ರಹಿಸಿದ್ದಾರೆ. ಸಂ. ಎಂಬಾಂ ಆಕ್ಷಿ ಶಕ್ತಿ ಕೆಳಗೆ ಇಲ್ಲ — ಎಂದರೆ ಅಕ್ಷಿ ಸೇರಿದೆ. ಸಂಬಂಧ. ಸಾಂಕ್ಷಿಕ. ಸ್ಥಳಕ್ಕೆ ಸಂಬಂಧ - ಸಂಸ್ಥಾಂಗ್ಲಾ ನಿಮ್ಮ ನಾಳಿದ ಸಂಬಂಧ ಸ್ಟ್ರೈಕ್ಸ್ ಸಂಗ್ರಹಿಸಿದ್ದ - ಎಂದು ಸ್ಥ - ಆದರೆ ಈಗಿನ ಕಾಲದ ಶಾಸ್ತ್ರಕ್ಕೆ ನಿಷ್ಠಾಂಗ ನಿಷ್ಠಾಗ್ರ ಸ್ಟ್ರೈಕ್ಸ್. ಸಂಬಂಧಿಸಿದ್ದ ಸಂಗ್ರಹಿಸಿ ಸ್ಟ್ರೈಕ್ಸ್ ಸ್ಟ್ರಾಟಾ ಎಂದು ಸ್ಟ್ರಾಟಾ ಅಂಬ್ರಿಕ್ಸ್ ಸ್ಟ್ರಾಟಾ ಸ್ಟ್ರಾಟಾ. ಸಂಬಂಧ ನಿಷ್ಠ ಸ್ಟ್ರೈಕ್ಸ್ ಶಕ್ತಿ ಕೆಳಗೆ ಇಲ್ಲ ಸ್ಥಾನಕ್ಕೆ. 10 ಸಿ.ಸಿ.ಸ್ಟ್ರೈಕ್ಸ್ ಸ್ಟ್ರೈಕ್ಸ್ ಸ್ಟ್ರೈಕ್ಸ್

(4)

(5)

(6)

(7)

(8)

[illegible]

[illegible]

[illegible]

35

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Appeal No.8 of 33-34.

Vs.

Appellants

Dharmadarsis of the Temple of Sri Hutcharayaswami, Shikarpur.

Respondents

Nimbegondi Therthappa and other ryots cultivating Inam lands endowed to Sri Hutcharayaswami at Nelavagilu village, Shikarpur Taluk.

SUBJECT.

Appeal against the orders of the Muzrai Commissioner in the matter of leasing out the Inam lands in Nelavagilu Village endowed to the Temple of Sri Hutcharayaswami at Shikarpur in case the ryots fail to render service on Rathotsavam and other days in the temple.

The case was called on Saturday the 24th November 1934, Mr. K.V. Subba Rao, B.A., LL.B., Advocate for the respondents was heard.

ORDER.

Government agree with the Muzrai Commissioner in his view that it will not be right to evict the ryots from their holdings solely on the ground that they did not perform certain acts during the Rathotsava of the deity, as there is no satisfactory documentary proof that the lands were held subject to such service.

As regards The Muzrai Commissioner's view ~~has gone a little further and stated~~ that ~~some of~~ the ryots ~~at least~~ whose names are entered in the Survey records as holding lands are Kadim tenants, are of opinion that the question beyond the point at issue Government do not think it necessary to decide this question in this appeal, as it raises large issues which have to be fully and separately considered. The M.C's order is therefore confirmed on the grounds stated above, but it should not be understood that the M.C's findings regarding the nature of the tenancy held by the

ryots are adopted.

991/Mes 313-33-4 & 10-1-35

Copy to Mr. K.V. Subba Rao, M.A., LL.B., Advocate for the respondents.

By Order,

RM(43)

3/1/35 Chief Secretary to Govt.

993/Mes & Records & 10-1-35

Copy to Puzrai Commissioner with compliments for information and necessary action. Records received with his letter No. 495/33-4 dated 6th November 1933 are herewith returned.

By Order,

RM64

3/1/35 Chief Secretary to Govt.

992 & 10-1-35

Copy to the Convenor of the Committee of Dharmadarsis of Sri Hutcharayaswami Temple, Shikarpur.

By Order,

3/1/35 Chief Secretary to Govt.

GENL. & REV. SECRETARIAT 752 20 DEC 1934

3p

OFFICE OF THE DEWAN OF MYSORE.

GENL. & REV. SEC. 19 DEC

1934.

Order

No 1012

Name of Petitioner

Ramadakshiya Somayaji

Village Dharmadarsi Shikarpur

Taluk do

District Shimoga

Date of Petition

Date of Receipt 18.12.34

No. of Enclosures nil

ABSTRACT.

Prays for an enquiry in the case of certain Brahmadayam lands belonging to the temple of Sri Hucharayaswamy Devaru at Shikarpur that were sold or made over to others by the Cervener of the temple etc.

Submitted

18/12

Mysore Secretary
his compliments
B.O.

PRIVATE SECRETARY
TO THE DEWAN OF MYSORE

4/S

RR 19/12

19/12

REV. SECRET
752
20 DEC 1934
OFFICE OF THE DEWAN OF MYSORE
Date of Receipt 18.12.34
Diary No. 1012

ಸಂಖ್ಯೆ 59

ಸಂಖ್ಯೆ ದಿವಾಣಿಯವರ ಸಂಖ್ಯೆ ಮಂಡಲಾಧಿಕಾರಿಯವರ ಇನ್ಸ್ಪೆಕ್ಟರ್ ಜನರಲ್ ಆಫ್ ರಿಜಿಸ್ಟ್ರೇಷನ್ಸ್ ಮತ್ತು ಸ್ಟಾಂಪ್ಸ್ ಇವರ ಸಂಖ್ಯೆ ಇ.ಆ.-ಸಿ.ಐ.ಆರ್ ಮತ್ತು ಸ್ಟಾಂಪ್ಸ್ ಇ.ಆ.-ಸಿ.ಐ.ಆರ

(4)

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The many case has since been disposed of and
City civil decision has been sent to the
Collector who Committee of Bhumiadhikari
of the Tenants of Sri Hutchraguswami
Shikantam. In these circumstances
action is called for at this stage.
Order for Panchal. May be filed
with the record.

10/1/35